

2009-506-C

220745

REGULATORY BACK OFFICE, INC.

"RBO" - Regulatory & Communications Consultants

7925 NW 12th Street, Suite 300, Miami Florida 33126

Tel: (305) 477-7580 Fax# (305) 477-7504

telecomstate@regbackoffice.com

December 10, 2009

Public service commission of South Carolina

101 Executive Center Drive

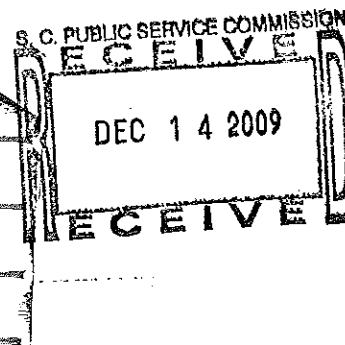
Columbia, South Carolina 29210

Posted: Ed

Dept: SA

Date: 12/15/09

Time: 12:45



Subject: Application to provide Telecommunication Services in South Carolina.

Attached please find one original containing confidential financials not for public view and 15 copies containing redacted financials (Public Version).

If you have any questions or comments about this filing, please feel free to call me at (305)-477-7580 or send an email to telecomstate@regbackoffice.com.

Sincerely,

Edward A. Maldonado
Regulatory Consultant

ab/mv

**BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA**

APPLICATION OF Custom Tel, LLC)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO PROVIDE RESOLD LONG)
DISTANCE TELECOMMUNICATIONS SERVICES)
WITHIN THE STATE OF SOUTH CAROLINA)

DOCKET NO. 2009-506-C

Custom Tel, LLC or "Applicant" pursuant to S.C. Code Ann. §58-9-280(B), as amended, and Section 253 of the Telecommunications Act of 1996, respectfully submits this Application for Authority to Provide Resold Long Distance Service within the State of South Carolina. Pursuant to S.C. Code Ann. §58-9-585 and the general regulatory authority of the Commission, the Applicant also requests that the Commission regulate its long distance service offerings as described below in accordance with the principles and procedures established for alternative regulation in Orders No. 95-1734 and 96-55 in Docket No. 95-661-C, and as modified by Order No. 2001-997 in Docket No. 2000-407-C.

Applicant proposes to offer resold long distance telecommunications services to customers throughout the state using unbundled network element platforms ("UNE-P"). Applicant's primary market is business customers. In addition, the Company will provide to its Customers additional custom calling and class features, access to emergency call services (e.g. 911), directory assistance and other ancillary services.

Applicant also proposes to offer resold inbound and outbound interexchange telecommunications services and operator-assisted services to its presubscribed Customers.

All services are available twenty-four (24) hours per day, seven (7) days a week. The Applicant will commence offering service following the granting of this application.

Approval of this application will promote the public interest by increasing the level of competition within South Carolina. This competition will mandate that all exchange telecommunications providers will operate more efficiently, enabling the consumer to benefit via reduced rates.

In support of this Application, Applicant respectfully states as follows:

1. The name and address of the Applicant are:

Applicant: Custom Tel, LLC
Address: 726 Exchange Street, Suite 705
Buffalo, NY 14210
Telephone: (716) 566-2668
Facsimile:
Website:

2. All correspondence, notices, inquiries and other communications regarding this application should be sent to:

Attorney name: Edward A. Maldonado
Address: 7925 NW 12 Street, Suite 300
Miami, FL 33166
Telephone: (305) 477-7580
Facsimile: (305) 477-7504
E-mail: telecomstate@regbackoffice.com

3. Contact person regarding ongoing operations of the Company is:

Applicant: Dan Coloney
Telephone: (716) 566-2668
Facsimile:
E-mail: dcoloney@custom-tel.com

4. Description of Applicant

Applicant is a private corporation that was incorporated in the state of Florida on 8/2/2002. Certificates of Authority to Transact Business in the State of South Carolina is attached hereto as Exhibit A.

5. Officers and Directors

See Exhibit B

6. Customer Service

Applicant understands the importance of effective customer service for long distance service consumers. Applicant has made arrangements for its customers to call the Company at customer service number, 1-954-727-0160. In addition, Customers may contact the Company in writing at the headquarters address and via e-mail at dcoloney@custom-tel.com The Customer Service number will be printed on the customers' monthly billing statements.

7. Financial Ability

Applicant has sufficient financial resources to operate in South Carolina. In support of the Company's financial ability to provide the proposed services, the Applicant offers its financial statements in Exhibit C.

8. Managerial and Technical Ability

Exhibit D contains a brief overview of the managerial experience of Applicant. The Company has the managerial experience in the telecommunications industry that will allow it to be a successful Resold Long Distance Service provider.

9. Proposed Service Territory

Applicant proposes to offer resold long distance service. Long distance service will be offered throughout the State of South Carolina. Exhibit E contains the proposed interexchange tariff of Applicant.

10. Public Interest and Need

Approval of this application and Applicant's proposed tariffs will serve the public interest and offer several benefits to consumers in South Carolina. First and foremost, Applicant will offer its Customers the ability to have seamless service for interstate and international toll services.

The granting of Applicant's application is consistent with S.C. Code Ann. §58-9-280(B), as amended by 1996 Act No. 354, and, in that regarding Applicant makes the following representations to the Commission:

- A. Applicant possesses the technical, financial, and managerial resources sufficient to provide the services requested;
- B. Applicant, to the extent it is required to do so by the Commission, will participate in the support of universally available telephone service at affordable rates; and,

11. Waivers and Regulatory Compliance

Applicant requests that the Commission grant it a waiver of those regulatory requirements inapplicable to competitive providers. Such rules are not appropriate for competitive providers and constitute an economic barrier to entry into the local exchange market.

- A. Applicant requests that it be exempt from any financial recording rules or regulations that require a carrier to maintain its financial records in conformance with the Uniform System of Accounts ("USOA"). As a competitive provider, Applicant currently maintains its books and records in accordance with Generally Accepted Accounting Principles ("GAAP"). GAAP is used extensively by interexchange carriers. Since Applicant utilizes GAAP, the Commission will have a reliable method by which to evaluate Applicant's operations. Therefore, Applicant requests to be exempt from any and all USOA requirements of the Commission.
- B. In addition, Applicant requests a waiver of S.C. Reg. 103-610, and to be allowed to maintain its books and records at its headquarters location in Weston, Florida. In the event that the Commission finds it necessary to review Applicant's books, this information will be provided upon request to the Commission or Applicant will bear the expense of travel for the Commission staff to examine the books and records located outside of South Carolina.
- C. Applicant finally requests waivers of any reporting requirements which are not applicable to competitive providers such as Applicant because such requirements (a) are not consistent with the demands of the competitive market; or (b) they constitute an undue burden on a competitive provider, thereby requiring an ineffective allocation of resources.

Applicant reserves the right to seek any regulatory waivers which may be required for Applicant to compete effectively within the states' local exchange and resale market.

12. Alternative Regulation of Business Service Offerings

In Docket No. 95-661-C in response to a Petition for Alternative Regulation by AT&T Communications of the Southern States, the Commission determined that there was sufficient competition in the market for interexchange telecommunication services to justify a relaxation in the manner in which AT&T was regulated. The Commission determined that AT&T was not required to file maximum rates for long distance business service offerings and that its tariffs be presumed valid upon filing, subject to the Commission's right within seven days to institute an investigation of the tariff filing. Applicant submits that as a competitor of AT&T in the market for providing telecommunication services to customers, it should be subject to no regulatory constraints greater than those imposed on AT&T. Applicant requests that its interexchange business services offerings described in its proposed tariff be regulated under this form of relaxed regulation.

This Application demonstrates that Applicant has the technical, financial and managerial resources to provide resold-based long distance service within South Carolina. The granting of this Application will promote the public interest by increasing the level of competition in the telecommunications markets of the state. Competition of this nature will mandate that all telecommunications providers will operate more efficiently and improve the overall service quality for consumers.

Approval of the Application of Applicant will serve the public interest by offering consumers throughout the State of South Carolina a meaningful quality service option. Approval of this Application will also benefit consumers by creating greater competition in the interexchange marketplace. Competition in the telecommunications marketplace inspires innovation and development of services that meet customer needs

cost effectively.

Wherefore, Applicant respectfully petitions this Commission for authority to operate as a reseller of long distance telecommunications services in the State of South Carolina in accordance with this Application, for alternative regulation of its long distance business service offerings, and for such other relief as it deems necessary and appropriate.

Regulatory Back Office, Inc.

By 

Name: Edward A. Maldonado

Address: 7925 NW 12 Street, Suite 300

Telephone: (305) 477-7580

Facsimile: (305) 477-7504

E-mail: telecomstate@regbackoffice.com

Regulatory Counsel for Applicant.

December 9, 2009

Applicant

SCHEDULE OF EXHIBITS

Exhibit A	Articles of Incorporation/ Certificate of Authority
Exhibit B	Officers and Directors
Exhibit C	Financial Statements
Exhibit D	Resumé of Key Employees
Exhibit E	Proposed Interexchange Tariff (<i>LXC</i>)

Comvoz Communication, LLC

EXHIBIT A

South Carolina Certificate of Authority

Articles of Incorporation

STATE OF SOUTH CAROLINA
SECRETARY OF STATE

CERTIFIED TO BE A TRUE AND CORRECT COPY
AS TAKEN FROM AND COMPARED WITH THE
ORIGINAL ON FILE IN THIS OFFICE

APPLICATION FOR A CERTIFICATE OF AUTHORITY
BY A FOREIGN LIMITED LIABILITY COMPANY
TO TRANSACT BUSINESS IN SOUTH CAROLINA

NOV 12 2009

Mark Hammond
SECRETARY OF STATE OF SOUTH CAROLINA

TYPE OR PRINT CLEARLY WITH BLACK INK

The following Foreign Limited Liability Company applies for a Certificate of Authority to Transact Business in South Carolina in accordance with Section 33-44-1002 of the 1976 South Carolina Code of Laws, as amended.

1. The name of the foreign limited liability which complies with Section 33-44-1005 of the 1976 South Carolina Code as amended is Custom Tel, LLC

2. The name of the State or Country under whose law the company is organized is
New York

3. The street address of the Limited Liability Company's principal office is
726 Exchange Street, Suite 705
Street Address
Buffalo, NY 14210
City State Zip Code

4. The address of the Limited Liability Company's current designated office in South Carolina is
6650 Rivers Avenue
Street Address
North Charleston, SC 29406
City State Zip Code

5. The street address of the Limited Liability Company's initial agent for service of process in South Carolina is
6650 Rivers Avenue
Street Address
North Charleston, SC 29406
City State Zip Code

and the name of the Limited Liability Company's agent for service of process at the address is

Corporate Creations Network Inc.
Name

Samantha Simons
Signature
Samantha Simons, Special Secretary

6. ☐ Check this box if the duration of the company is for a specified term, and if so, the period specified _____

091113-0114
CUSTOM TEL, LLC

FILED: 11/12/2009

Filing Fee: \$110.00 ORIG



Mark Hammond

South Carolina Secretary of State

Custom Tel, LLC

Name of Limited Liability Company

7. ☒ Check this box if the company is manager-managed. If so, list the names and business addresses of each manager

a. Stephen G. Florczak

Name

726 Exchange Street, Suite 705

Business Address

Buffalo, NY 14210

City

State

Zip Code

b. Lorenzo Costa

Name

726 Exchange Street, Suite 705

Business Address

Buffalo, NY 14210

City

State

Zip Code

8. ☐ Check this box if one or more members of the foreign limited liability company are to be liable for the company's debt and obligation under a provision similar to Section 33-44-303(c) of the 1976 South Carolina Code of Laws, as amended.

Date

11/6/09

Signature

Stephen G. Florczak

Stephen G. Florczak - Manager

Name

Capacity

FILING INSTRUCTIONS

1. This application must be accompanied by an original certificate of existence not more than 30 days old (or a record of similar import) authenticated by the Secretary of State or other official having custody of the Limited Liability Company records in the state or country under which it is organized.
2. File two copies of these articles, the original and either a duplicate original or a conformed copy.
3. If management of a limited liability company is vested in managers, a manager shall execute this form. If management of a limited liability company is reserved to the members, a member shall execute this form. Specify whether a member or manager is executing this form.
4. This form must be accompanied by the filing fee of \$110.00 payable to the Secretary of State.

Return to: Secretary of State
P.O. Box 11350
Columbia, SC 29211

Manager:

Dan Coloney
726 EXCHANGE STREET, SUITE 705
BUFFALO, NEW YORK, 14210

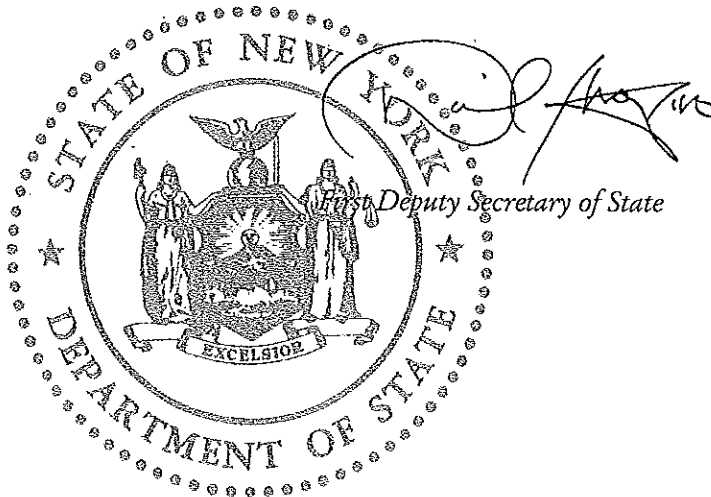
State of New York
Department of State } ss:

I hereby certify, that CAP-TEL, LLC a NEW YORK Limited Liability Company filed Articles of Organization pursuant to the Limited Liability Company Law on 02/23/2007, and that the Limited Liability Company is existing so far as shown by the records of the Department.

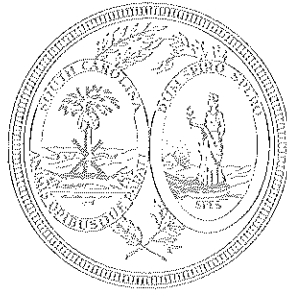
A Certificate of Amendment CAP-TEL, LLC, changing its name to CUSTOM TEL, LLC, was filed 04/16/2007.

*WITNESS my hand and the official seal
of the Department of State at the City of
Albany, this 05th day of November two
thousand and nine.*

200911060151 102



The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Authorization

I, Mark Hammond, Secretary of State of South Carolina Hereby certify that:

CUSTOM TEL, LLC, A Limited Liability Company duly organized under the laws of the State of NEW YORK, and issued a certificate of authority to transact business in South Carolina on November 12th, 2009, with a duration that is at will, has as of this date filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to section 33-44-809 of the South Carolina Code, and that the company has not filed a certificate of cancellation as of the date hereof.

Given under my Hand and the Great
Seal of the State of South Carolina this
13th day of November, 2009.


Mark Hammond, Secretary of State

Comvoz Communication, LLC

EXHIBIT B

Officers and Directors

Custom Tel, LLC. List of Officers and Directors

Shareholders

Stephen G. Florczak 50% Shareholder

Lorenzo Costa 50% Shareholder

Managing Members

Lorenzo Costa

726 Exchange Street, Suite 705

Buffalo, NY 14210

Ph (716) 566-2668

Email lcosta@custom-tel.com

Stephen G. Florczak

726 Exchange Street, Suite 705

Buffalo, NY 14210

Ph (716) 566-2668

Dan Coloney

726 Exchange Street, Suite 705

Buffalo, NY 14210

Ph (716) 566-2668

Email dcoloney@custom-tel.com

Comvoz Communication, LLC

EXHIBIT C

Financial Statements

**BEFORE
THE STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)
Custom Tel, LLC)
Of Public Convenience and)
Necessity to Provide Resold Long)
Distance Service throughout)
The State of South Carolina)

**Exhibit C to Application
Financial Statements**

**CONFIDENTIAL & PROPRIETARY
FILED UNDER SEAL**

**BEFORE
THE STATE OF SOUTH CAROLINA
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of)
Custom Tel, LLC)
Of Public Convenience and)
Necessity to Provide Resold Long)
Distance Service throughout)
The State of South Carolina)

**MOTION FOR PROTECTIVE TREATMENT AND
BASIS FOR FILING EXHIBIT "C" AS TRADE SECRET**

Custom Tel, LLC (hereafter "Applicant"), by its attorneys and pursuant to S.C. Code Ann. 39-8-10, *et seq.* and Commission Order No. 2005-226 and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment ("Motion") in the above-captioned proceeding. By this Motion, the Applicant seeks protective treatment by the South Carolina Public Service Commission ("Commission"), of certain commercially-sensitive financial statements attached as Exhibit C, filed as Trade Secret to the Application for Authority for Custom Tel, LLC to Provide Resold Long Distance Service throughout the State of South Carolina ("Application"). Because this Motion is an inseparable part of the Application, it is being filed concurrently therewith.

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicant are:

Custom Tel, LLC
726 Exchange Street, Suite 705
Buffalo, NY 14210
Tel : (716) 566-2668

2. Correspondence or communications regarding this Motion should be addressed to:

Edward A. Maldonado, Esq.
Regulatory Back Office, Inc.
7925 NW 12 Street, Suite 300
Miami, FL 33126
Tel: (305) 477-7580
Fax: (305) 477-7504

Description of Confidential Information.

The Application requires Applicant to disclose evidence of financial fitness through the submission of documentation of its financial resources and ability to provide the requested service. In conformity with this requirement, the Applicant submits copies of its financial statements. These documents contain highly confidential and strictly proprietary information, the public disclosure of which may result in direct, immediate and substantial harm to the competitive position of the Applicant in South Carolina and elsewhere.

Grounds for Claim of Confidentiality.

Applicant is presently immune from a legal obligation to prepare or submit projected financial statements, or any other financial information, to any public entity. As such, the financial statements attached as Exhibit C to the Application are not readily available to persons external to Applicant except for regulatory and governmental agencies with jurisdiction over Applicant and then only under seal.

Because the projected financial statements submitted by Applicant in support of the Application contain confidential and commercially-sensitive information from which its competitors may derive economic value, Applicant seeks to protect such material from public disclosure. Applicant derives independent economic value from the fact that significant, detailed and proprietary information regarding its financial structure and current financing activities is unknown to its competitors. As such, the Applicant's financial statements are trade secret as that term is used in South Carolina Trade Secrets Act. S.C. Code Section 39-8-20(5). Given this fact, the disclosure of this information could provide existing and potential competitors, including institutional calling services providers or intends to provide telecommunications service, with an unfair and undeserved competitive advantage.

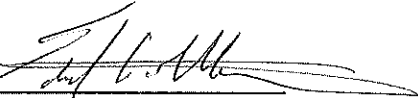
CONCLUSION

The financial information included in support of Applicant's Application, for which Confidential Treatment is sought, is both proprietary and competitively-sensitive. The substantial and direct harm that could be caused to Applicant as a result of any disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required Applicant to make this information available to the public. For all these reasons, the financial statements attached as Exhibit C to the application should be protected from public disclosure by the Commission.

WHEREFORE, Applicant respectfully request that the South Carolina Public Service Commission grant this Motion for Protective Treatment with respect to the financial statements attached to Exhibit C to the Application and filed under seal as Confidential in this proceeding.

Dated this 9th day of November, 2009.

Respectfully Submitted,

By: 

Edward A. Maldonado
7925 NW 12 Street, Suite 300
Miami, FL 33126
Tel: (305) 477-7580
Fax: (305) 477-7504
Email: telecomstate@regbackoffice.com

CUSTOM TEL, LLC
BALANCE SHEET
SEPTEMBER 30, 2009

ASSETS

CURRENT ASSETS

Cash
Accounts receivable
Total current assets

\$ [REDACTED]
[REDACTED]
[REDACTED]

FIXED ASSETS

Computer software
Less: accumulated depreciation
Net fixed assets

[REDACTED]
[REDACTED]
[REDACTED]

TOTAL ASSETS

\$ [REDACTED]

LIABILITIES AND PARTNERS' EQUITY

CURRENT LIABILITIES:

Accounts payable
Accrued expenses
Total current liabilities

\$ [REDACTED]
[REDACTED]
[REDACTED]

TOTAL LIABILITIES

[REDACTED]

PARTNERS' EQUITY

Partners' Equity
Total partners' equity

[REDACTED]
[REDACTED]

TOTAL LIABILITIES AND PARTNERS' EQUITY

\$ [REDACTED]

CUSTOM TEL, LLC
STATEMENT OF INCOME AND EXPENSES
FOR NINE MONTHS ENDED SEPTEMBER 30, 2009

	<u>SEPTEMBER</u>	<u>YEAR TO DATE</u>
Income	\$ [REDACTED]	[REDACTED]
<u>General and Administrative Expenses</u>		
Bank Service Charge	[REDACTED]	[REDACTED]
Commission	[REDACTED]	[REDACTED]
Entertainment	[REDACTED]	[REDACTED]
Insurance	[REDACTED]	[REDACTED]
License	[REDACTED]	[REDACTED]
Office expense	[REDACTED]	[REDACTED]
Payroll tax expense	[REDACTED]	[REDACTED]
Political contribution	[REDACTED]	[REDACTED]
Professional Fees	[REDACTED]	[REDACTED]
Rent	[REDACTED]	[REDACTED]
Salaries	[REDACTED]	[REDACTED]
Telephone	[REDACTED]	[REDACTED]
Total General and Administrative Expenses	[REDACTED]	[REDACTED]
Net Income	\$ [REDACTED]	\$ [REDACTED]

Comvoz Communication, LLC

EXHIBIT D

Resumé of Key Employees

Daniel L. Coloney

A demonstrated professional who offers over 12 years of experience leading sales and channel distribution teams. Proven effective in conveying meticulous concepts, utilizing concise and easily understood language to educate and inform diverse audiences. Skilled in collaborating with numerous departments and business segments, ensuring compliance with deadlines and budgetary constraints. Consistently attains customer satisfaction. Areas of expertise include:

Corporate Communications
Project Management
Strategic Planning
Time Management

Rapport Building
Training & Development
Contract Negotiations
Sales Channel Distribution

Forecasting
Proposal Preparation
Flexible, multi-tasked
Motivated, Self Starter

PROFESSIONAL CONTRIBUTIONS

- Recipient of monetary award for providing outstanding service and leadership.
- Member of Gold Club, obtaining 200% of quota.
- President Club Status, obtaining 182% of quota.
- Managed and coached up to 40 agents at one time selling throughout the United States.
- Created informative marketing materials correlating with a newly designed product.
- Assisted agents in closing sales calls.

CAREER PROFILE

Custom Tel President

2007-Present

- Plans, develops, and establishes policies and objectives of business organizations in accordance with board directives and corporation charter.
- Confers with company officials to plan business objectives, establish responsibilities, and procedures for attaining objectives.
- Reviews activity reports and financial statements to determine progress and status in attaining objectives and revises objectives and plans in accordance with current conditions.
- Directs and coordinates formulation of financial programs to provide funding for new or continuing operations to maximize returns on investments and to increase productivity.
- Evaluates performance of executives for compliance with established policies and objectives of firm and contributions in attaining objectives.
- Resides over all hiring and termination practices.
- Conducts strategic planning sessions to address forecasting, budgets, and allocation of resources.
- Devises sales plans and approaches to sell Telecommunications services to medium and large business.
- Serves as chairman of committees, such as management, executive, engineering, and sales.

Pactec Agent Manager

2000-2007

- Assisted agents in the sale of Telecommunications utilizing the knowledge of networks, and the communications industry.
- Recruited and trained agents.
- Co-designed networks.
- Analyzed customer's communication needs and designed recommendations to streamline cost and enhance productivity.
- Developed list of prospective customers by researching businesses and networking with associates.
- Reviewed orders for ideas to expand services available to present customers.
- Called on prospects to explain features of services, cost, and advantages.
- Wrote orders and schedules initiation of services.
- Conferred with customers and company officials to resolve complaints.

Daniel L. Coloney

CAREER PROFILE CONTINUED

ACC/AT&T

1998-2000

Agent Manager

- Directed staffing, training, and performance evaluations to develop and control sales program.
- Coordinated sales distribution by establishing sales territories, quotas, and goals.
- Advised dealers, distributors, and clients concerning sales and advertising techniques.
- Assigned sales territory to sales personnel.
- Analyzed sales statistics to formulate policy and to assist dealers in promoting sales.
- Reviewed market analyses to determine customer needs, volume potential, price schedules, and discount rates.
- Developed sales campaigns to accommodate goals of company.
- Directed product simplification and standardization to eliminate unprofitable items from sales line.
- Represented company at trade association meetings to promote product.
- Coordinated liaison between sales department and other sales-related units.
- Analyzed and controlled expenditures of division to conform to budgetary requirements.
- Prepared sales report showing sales volume and potential sales.
- Profit and Loss Assessment.

Outside Sales Representative

1996-1998

- Sold communications services to business accounts.
- Contacted and visited commercial customers to review phone service.
- Analyzed communication needs of business establishments, using knowledge of type of business, available telephone equipment, and traffic studies.
- Recommended additional services.
- Quoted rates for services and wrote up orders.

ACADEMICS

SUNY OSWEGO: Bachelors of Arts - Economics, Minor in Math

1990

Lawrence A. Costa

21 Years of Telecommunications expertise with Companies such as AT&T, Sprint Canada, and Global Crossings.

MBA Canisius College 1990

Currently Senior Vice President Capital Management Services, Inc has grown revenue fro \$4Million annually to \$44 Million in 3years.

Call center expertise with Capital Management, and with AT&T as a National Account Manger

Winner 2004 Business First Distinguished Sales and Marketing Executive

Stephen G. Florczak

28A Coolbrook Court • Buffalo NY, 14051 • Home: 716-639-8292 • Email: sflorczak@aol.com

Senior Information Technology Executive

With 13 Years IT/Telecom Experience Delivering Profit Driven and Cost Effective Technology Solutions

Career Profile

Results-driven Information Technology Executive with expertise envisioning and leading global, technology based, multi-million dollar revenue and growth initiatives grounded solidly on business and economic value. Impressive, fast track management career marked by demonstrated ability to build performing teams and achieve cross-functional business objectives. Valued member of senior executive teams, contributing a seasoned, broad-based perspective to create dynamic IT strategies and implementation plans designed for maximum return at the lowest possible costs.

Core EVP areas of expertise

- | | | |
|----------------------------------|----------------------------------|--------------------------|
| ➤ Strategic Planning | ➤ Executive Leadership/ | ➤ Network Architecture |
| ➤ Multi-Million Dollar Budgeting | ➤ Large Scale Project Management | ➤ Profit/Loss Management |
| ➤ System Integration | ➤ Lead Security Officer | ➤ Disaster Recovery |
| ➤ 24/7 Operating Environments | ➤ Mergers and Acquisitions | ➤ Vendor Management |
| ➤ Telecom Solutions Deployment | ➤ Outsourced Services | ➤ Contract Negotiation |

Key Career Highlights:

- **Realize maximum value and return on IT investments** – Immediate gains and efficiencies realized through implementation of multi-million dollar CRM system, increased profits through multiple Dialer/IVR deployments, elimination of downtime through redundant network architecture and infrastructure for \$200 million revenue operation globally.
- **Champion and architect of secure, compliant environment** - SAS70 and ISO 17799/27001 Compliant since 2005. PCI Certified since 2006. Driving force behind company-wide commitment to protect the privacy, confidentiality and safeguarding of client/customer information in observance of PCI Standards, ISO Requirements, State and Federal Regulations.
- **Consistently deploy technological innovations without exceeding annualized budget** – Manage annual budget of \$30 million for capital expenditures, outsourced services and operating expenses. Reliably controlled expenses reaching goal of 90% to budget each year.
- **CIO of all subsidiary financial companies** – CIO of financial subsidiaries Center One, LLC and First Center, LLC which operate as Customer Service Call Centers for Credit Card Issuers. Designed secure, segregated and stand-alone environments for operations leveraging Capital Management Services call center technology model.

Professional Experience

Custom Tel, LLC – Buffalo, NY

2007-Present

Switchless reseller of Telecommunications

Managing Partner

Oversee telephony operation striving to be industry leader of low cost, efficient solutions of Telecommunications. Filed all documentation required of Federal and State requirements to operate as a reseller of communications nationwide. Solutions offered to current customers include Local, Long Distance, VoIP, Internet, Dedicated T-1 Access and MPLS based on analysis of client requirements. Assist with business development.

Capital Management Services, LP – Buffalo, NY

2002-Present

Receivables Management Call Center Operation with multiple sites, over 1,500 employees and \$200m in annual revenue

Executive Vice President of IT

Lead team of national and international programming, networking, telecommunications, security, business analysts, help desk and financial reporting employees responding to client and business needs. Assigns and reviews all work while mentoring employees. Became CIO/EVP and company officer from Director of IT within 26 months. CIO of subsidiary customer support operations and President of telecommunications operations included as part of overall responsibilities.

Key Results:

- Architect of three new sites and two integrated sites onto company network.
- Reduced all skip service costs by 40% for the year 2009. Savings to exceed \$2 million
- Cut production costs \$3 million for years 2006-07 and \$4 million for 2008
- Instituted IVR to control flow of inbound call traffic, allow customers to pay systemically and free agents to focus on reaching more customers. Gain of 20% customer penetration realized
- Forecast growth plans of headquarters and remotes sites ensuring client requirements are met and operations has tools to exceed client expectations without loss of productivity
- Cut Long Distance costs by \$1 million annually through auditing of telecom charges
- Consolidated Network Connectivity onto redundant Sonet Ring, removing direct T-1's, creating failover while achieving a reduction in monthly telecom expenses
- Deployed data redundancy across all AS400 platforms to allow each site to operation independently of other sites for true Disaster Recovery operation
- Achieved 100% success rate on all external client audits specific to IT functions.
- Attained ISO 17799/27002 Compliance through Independent Auditing.
- Created IT processes including, but not limited too, Disaster Recovery, Change Control, Help Desk, Client Integration, Data Security and Internal Auditing.
- Performed conversion of PC based database onto AS/400 platform at a cost of \$200k increasing productivity 200% over prior months. Performed integration of Predictive Dialers at a cost of \$300k, doubling revenue two consecutive months after integration. Payback period for both integrations were two months.
- Customized third party software package that initiated 300% growth in revenue in 2003 and 200% growth in 2004

- Restructured internal Help Desk/Customer Support department to support prioritized projects and deliverables through proprietary ticketing system. Immediate efficiencies resulted
- Resulting growth noted for Capital Management Services in *Buffalo News* for two consecutive years as a fast track company in Western New York.
- Trained or created training manuals for all departments that use customized third party software.
- Implemented Auto Pay and Auto Posting of transactions saving \$215K annually.
- Generated numerous credits for outsourcing as a result of recommending program and design upgrades for third party software package.

Great Lakes Collection Bureau - Buffalo, NY

1996 – 2002

Largest single site collection agency in U.S until purchased by GE in 1999

Senior Project Analyst (1997 - 2002)

Computer Programmer (1996 - 1997)

Rapid promotion to Senior Project Analyst. Specialized in coordinating and programming with responsibilities that included system design, development and maintenance. Involved in all major client integrations onto AS/400 platform and company interfaces with client system/networks.

Key Results:

- Produced programs and interfaces based on requirements of major clients such as Capital One Bank, GE, Citibank, Chase Manhattan and Discover. IT liaison for each of the aforementioned major clients.
- Used Six Sigma methodology in aspects of all projects.
- Created real-time statistics on AS/400 eliminating unnecessary reporting functions while saving \$80K annually.
- Led team of programmers in designing front end GUI for predictive dialing from AS/400 saving company \$62K in contracting.
- Designed a database to store programming requests for statistics and analysis.
- Mentored junior programming staff on how to introduce quality into each phase of the software development life cycle.
- Completed the following Harvard Mentor Management Programs via GE Online Learning Center: Delegating, Leading a Team, Capitalizing on Change, Leading and Motivating, Project Management, Negotiating, Managing Your Time and Solving Business Problems.

Education

Canisius College Wehle School of Business - Buffalo, NY

Master of Science: Telecommunications – 2004

Master of Science: Business Administration – 2002

State University of New York at Buffalo - Buffalo, NY

Bachelor of Science: Business Administration – 1995

Comvoz Communication, LLC

EXHIBIT E

Proposed Long Distance (*LXC*) Tariff

INTEREXCHANGE TARIFF

Custom Tel, LLC
SOUTH CAROLINA
RATES, TERMS, AND CONDITIONS FOR SERVICE
FOR
INTEREXCHANGE AND INTRASTATE
LONG DISTANCE SERVICES

ISSUED: December 10, 2009

EFFECTIVE: _____

By:

Dan Coloney - Managing Member
726 Exchange Street, Suite 705
Buffalo, NY 14210
Direct Dialed: (716) 566-2668

INTEREXCHANGE TARIFF

TITLE SHEET

SOUTH CAROLINA INTRASATE TELECOMMUNICATIONS TARIFF

This tariff contains the description, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Custom Tel, LLC ("Custom Tel") with principal offices at 726 Exchange Street, Suite 705, Buffalo, NY 14210.

This tariff applies for services furnished within the State of South Carolina. This tariff is on file with the SOUTH CAROLINA Public Service Commission ("SC PSC"), and may be inspected during normal business hours at the Company's principal place of business.

ISSUED: December 10, 2009

EFFECTIVE: _____

By:

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INTEREXCHANGE TARIFF

CHECK SHEET

The sheets listed below, which are inclusive of this tariff, are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date of the bottom of this page.

<u>SHEET</u>	<u>REVISION</u>
1	Original
2	Original
3	Original
4	Original
5	Original
6	Original
7	Original
8	Original
9	Original
10	Original
11	Original
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29	Original
30	Original

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INTEREXCHANGE TARIFF

CONCURRING CARRIERS

None

CONNECTING CARRIERS

None

OTHER PARTICIPATING CARRIERS

None

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INTEREXCHANGE TARIFF

TABLE OF CONTENTS

Cover Sheet.....	1
Title Sheet.....	2
Check Sheet.....	3
Concurring Carriers.....	4
Table of Contents.....	5
Subsection Table of Contents.....	6
Symbols Sheet	8
Tariff Format Sheets.....	9
Section 1 - Technical Terms and Abbreviations	10
Section 2 - Rules and Regulations.....	13
Section 3 - Service Description.....	19
Section 4 - Rates.....	24

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INTEREXCHANGE TARIFF

INDEX

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

1.1	Definitions.....	10
1.2	Abbreviations.....	12

SECTION 2 - RULES AND REGULATIONS

2.1	Undertaking of the Company.....	13
2.2	Use of Facilities.....	13
2.3	Limitations	14
2.4	Use and Ownership of Equipment.....	14
2.5	Period of Service.....	14
2.6	Payment for Services.....	15
2.7	Deposits	15
2.8	Advance Payments	15
2.9	Taxes.....	15
2.10	Inspection, Testing and Adjustment.....	16
2.11	Interruption of Service.....	16
2.12	Suspension or Termination of Service.....	17

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INTEREXCHANGE TARIFF

INDEX (continued)

SECTION 3 – SERVICE DESCRIPTION

3.1	Timing of Calls.....	19
3.2	Start of Billing.....	19
3.3	Interconnection.....	19
3.4	Terminal Equipment.....	19
3.5	Calculation of Distance.....	20
3.6	Minimum Call Completion Rate.....	20
3.7	Network Management.....	20
3.8	Usage Charges and Billing Increments.....	21
3.9	Service Offerings.....	22

SECTION 4 - RATES

4.1	Switched 1+ Message Toll Service Rates	24
4.2	800 / 888 (Inbound) Long Distance Service Rates	25
4.3	Dedicated Outbound WATS Service Rates.....	26
4.4	Dedicated Inbound 800 / 888 Service Rates.....	26
4.5	Prepaid Calling Card Rates.....	27
4.6	Miscellaneous Charges.....	28
4.7	Special Rates for the Hearing Disabled.....	30
4.8	VoIP Service Rates.....	30

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SYMBOLS SHEET

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting In An Increase to a Customer's Bill
- M - Moved From Another Tariff Location
- N - New
- R - Change Resulting In A Reduction To A Customer's Bill
- T - Change in Text Or Regulation But No Change In A Rate Or Charge

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INTEREXCHANGE TARIFF

TARIFF FORMAT SHEETS

- A. Sheet Numbering - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.
- B. Sheet Revision Numbers - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the SC PSC. For example, the 4th revised Sheet 14. Because of various suspension periods, deferrals, Etc., the SC PSC follows in their tariff approval process, the most current sheet number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
 - 2.1.
 - 2.1.1.
 - 2.1.1.A.
 - 2.1.1.A.1
 - 2.1.1.A.1.(a).
 - 2.1.1.A.1.(a) I.
 - 2.1.1.A.1 (a) I. (i).
 - 2.1.1.A.1 (a) I. (i). (1).
- D. Check Sheets - When a tariff filing is made with the SC PSC, an updated check sheet accompanies the tariff filing. The check sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new pages are added, the check sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remains the same, just revised revision levels on some pages). The tariff user should refer to the latest check sheet to find out if a particular sheet is the most current on file with the SC PSC.

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INTEREXCHANGE TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**1.1 Definitions**

Access Line - An arrangement from a local exchange telephone company or other licensed common carrier, using either dedicated or switched access, which connects a Customer's location to the Company's location or switching center.

Authorization Code - A numerical code, one or more of which are available to a Customer's End User to enable him/her to access the Company, and which are used by the Company to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

Casual Calling - Access to Company's network and the subsequent use of Service by an End User Customer through the dialing of a carrier access code in the format 101XXX, where the four (4) digits represented by the "X" are the unique Carrier Identification Code (CIC) assigned to Company.

Commission - The South Carolina Public Service Commission (see SC PSC).

Company or Custom Tel, LLC - Used throughout this tariff to mean Custom Tel, LLC, a company licensed to do business in South Carolina..

Connecting Carrier - A telecommunications company, which may be either an interexchange or a local exchange carrier that supplies the Company with facilities to originate or terminate the Company's long distance services.

Customer - The person, firm, corporation or other entity, which orders service and is responsible for payment of charges due and compliance with the Company's tariff regulations.

Day - From 8:00 AM up to, but not including, 5:00 PM local time, Monday through Friday.

End User - The ultimate user of a telecommunications service which either; (1) orders the service through a certified Reseller Company or (2) uses the Company's Service directly as a Enduser Customer (3) Or, access the Company's Service dialing the Company's designated access code or other access number.

Evening - From 5:00 PM up to, but not including, 11:00 PM local time, Monday through Friday.

Holidays - The Company's recognized holidays are New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, and Christmas Day.

SC PSC - South Carolina Public Service Commission (also see Commission)

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INTEREXCHANGE TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (continued)

1.1 Definitions (continued)

Individual Case Basis (ICB) – Determines involving situations where nonstandard arrangements are required to satisfy specialized needs. The nature of such Service requirements makes it difficult or impossible to establish general Tariff provisions for such circumstances. When it becomes possible to determine specific terms and conditions for such offerings, they shall be offered pursuant to such terms and conditions when set forth in writing and subscribed to by authorized representatives of Customer and Company.

Interconnection – The linkage used to join two or more communications units, such as systems, networks, links, nodes, equipment, circuits, and devices in two or more exchanges.

Local Access – The portion of the Service between a customer premise and a Company designated POP.

Night/Weekend - From 11:00 PM, up to, but not including, 8:00 AM Monday through Friday, and 8:00 AM Saturday, up to, but not including, 8:00 AM Monday.

Off-hook – the condition that exists when an operational telephone instrument or other user instrument is in use.

On-hook – the condition that exist when an operational telephone, or other instrument, is not in use.

Reseller – A customer, which purchase Service from the Company through a Service Agreement and resells service to its End Users or other licensed Carriers. End Users of a Reseller are not Customers of the Company. A Reseller must be authorized to operate in South Carolina before it can resell Services to its End Users.

Telecom Unit - A measurement of telecommunications service equivalent to one minute of usage between any two points within the State of South Carolina.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

Underlying Carrier - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

VoIP (Voice over IP) - A term used in IP telephony for a set of facilities for managing the delivery of voice information using the Internet Protocol (IP).

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INTEREXCHANGE TARIFF

SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS (continued)

1.2 Abbreviations

CCLC – Carrier Common Line Charge

CCS - hundred call-seconds

COCOT – Coin Operated Customer Owned Telephone

CPE – Customer Provided Equipment

DEMARC - Point of Demarcation

ICB – Individual Case Basis

SC PSC – South Carolina Public Service Commission

LATA – Local Access Transport Area

LEC – Local Exchange Company

MTS – Message Toll Service

PBX – private Branch Exchange

POP – Point of Presence

RESBORG – Responsible Organization

SAL – Special Access Line

TDD – Telecommunications Device for the Deaf

VoIP – Voice over Internet Protocol

V & H – Vertical and Horizontal

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS**2.1 Undertaking of the Company.**

The Company's services and/or facilities are furnished for communications originating at specified points within the State of South Carolina under terms of this tariff.

The Company installs, operates and maintains the communications services provided herein in accordance with the terms and conditions set forth under this tariff. It may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the customer, to allow connection of a customer's location to the Company's network. The Customer shall be responsible for all charges due for such service arrangements.

The Company's primary business is the furnishing of Intrastate, Interstate, and International long distance services to its Customers or to licensed telecommunications reseller companies, licensed common carriers, local exchange companies. Also, End Users may access the company's services by utilizing casual calling. The Company is not a COCOT and has no plans at this time to actually provide coin telephones nor to offer such services other than the sale of its (the Company's) long distance services to the licensed providers companies within the State of South Carolina.

The Company's services and facilities are provided on a monthly basis unless ordered on a longer-term basis, and are available twenty-four hours per day, seven days per week.

2.2 Use of Facilities and Service

2.2.1 Service may be used for any lawful purpose by the Customer or any End User.

2.2.2 The Customer obtains no property right or interest in the use of any specific type of facility, service, equipment, number process, or code. All right, title and interest to such items remains, solely and at all times, with the Company.

2.2.3 Any service provided under this Tariff may be resold to or shared (jointly used) with other persons at the Customer's option. The Customer remains solely responsible for all use of service ordered, by it, or billed to its account(s) pursuant to this Tariff, for determining who is authorized to use the service, and for promptly notifying the Company of any unauthorized use. The Customer may advise its customers that a portion of its service is provided by the Company, but the Customer shall not represent that the Company jointly participates with the Customer in the provision of service.

2.2.3.1 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions for service.

2.2.3.2 Customers reselling or rebilling services must have a Certificate to provide telecommunications service with the South Carolina Public Service Commission.

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS (continued)**2.3 Limitations.**

- 2.3.1 The Included tariff language does not constitute a determination by the Commission (SC PSC) that a limitation of liability imposed by the Company should be upheld in a court of law. Acceptance for filing by the Commission recognizes that it is a court's responsibility to adjudicate negligence and consequential damage claims. It is also the court's responsibility to determine the validity of the exculpatory clause.
- 2.3.2 Service is offered subject to availability of the necessary facilities and/or equipment and subject to the provision of this Tariff. The Company may decline applications for service to or from a location where the necessary facilities or equipment are not available. The Company may discontinue furnishing service in accordance with the terms of this tariff.
- 2.3.3 The Company reserves the right to discontinue furnishing service, or limit the use of service, upon written notice, when necessitated by conditions beyond its control, or when the customer is using service in violation of the law or the provisions of this tariff.
- 2.3.4 The Company shall be indemnified and held harmless by the Customer against:
- (A) Claims for libel, slander, or infringement of copyright arising out of the material, data, information or other content transmitted over the Company's facilities.
 - (B) All other claims arising out of any act or omission of the Customer in connection with any service or facility provided by the Company.
- 2.3.5 The Company reserves the right to refuse an application for service made by a present or former Customer who is indebted to the Company for service previously rendered pursuant to this Tariff until the indebtedness is satisfied.

2.4 Use and Ownership of Equipment

The Company's equipment, apparatus, channels, and lines shall be carefully used. Equipment furnished by the Company shall remain its property and shall be returned to the Company whenever requested, within a reasonable period following the request, in good condition (subject to reasonable wear and tear). The Customer is required to reimburse the Company for any loss of, or damage to, the facilities or equipment on the Customer's premise, or the Customer's Customer premise, including loss or damage caused by agents, employees, or independent contractors of the Customer through any negligence.

2.5 Minimum Period of Service

The minimum period for which services are provided and for which rates and charges are applicable is one month unless otherwise specified. When a service is disconnected prior to the expiration of the minimum period, charges are applicable, whether the service is used or not.

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS (continued)**2.6 Payment for Service Rendered**

- 2.6.1 Service is provided and billed on a monthly basis. Bills are due and payable upon receipt. In the event that the Company incurs fees or expenses, including attorney's fees, collection, or attempting to collect, any charges owed to the Company, the Company may charge the Customer all such fees and expenses reasonably accruing at the rate of 1.5% per month or the highest rate allowed by law, whichever is lower. Collection fees on overdue charges shall begin to accrue when the account is assigned to an outside collection agency. Such collection fees are separate and distinct from attorney's fees and other costs incurred in collecting charges owed to the Company.
- 2.6.2 The Customer is responsible for payment of all charges for service furnished to the Customer, or the Customer's agents, End Users, or customers. All charges due by the Customer are payable to the Company or the Company's authorized billing agent. Any objection to billed charges must be reported promptly to the Company. All undisputed charges must be paid as per terms on the bill.
- 2.6.3 The Company reserves the right to assess a charge of \$20.00 US Dollars whenever a check or a draft presented for payment of service is not accepted by the institution upon which it is written. The foregoing shall not limit the Company's right to discontinue service for returned checks or drafts under section 2.12.
- 2.6.4 Application of Late Payment Charge
- 2.6.4.1 Late payment charges do not apply to final accounts.
- 2.6.4.2 Late payment charges do not apply to governmental agencies of the State of South Carolina. These agencies are required to make payment in accordance with South Carolina Law governing financial responsibility of the State, its agencies, commissions, departments, etc.

2.7 Deposits

The Company does not require a deposit from the Customer.

2.8 Advance Payments

The Company does not require advanced payments.

2.9 Taxes

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS (continued)**2.10 Inspection, Testing, and Adjustment**

2.10.1 The Company may upon reasonable request and /or notice make such test and inspections as may be necessary to determine whether the terms and conditions of this Tariff are being complied with in the installation, operation, and maintenance of the Customer's, the Customer's Customers or End Users, or the Company's facilities or equipment. The Company may interrupt service at any time, without penalty or liability, due to the departure from or reasonable suspicion of the departure from any of these terms and conditions.

2.10.2 The Customer shall be responsible for making arrangements or obtaining permission for safe and reasonable access for Company employees or agents of the Company to enter the premises of the Customer, the Customer's Customers or the Customer's End Users, at any reasonable hour for the purpose of inspecting, repairing, testing, or removing any part of the Company's equipment or facility (ies).

2.10.3 Upon reasonable notice, the facilities or equipment provided by the Company shall be made available to the Company for such test and adjustments as may be necessary to maintain the Company's scheduled maintenance program to ensure Company equipment and / or furnished facilities are kept-up in a condition satisfactory to the Company. No interruption allowance will be made for the time during which test and adjustments are made, unless such interruptions exceeds twenty-four hours in length and is requested by the Customer.

2.11 Interruption of Service

2.11.1 It shall be the customer's obligation to notify the Company immediately of any service interruption for which a credit allowance is desired. Before giving such notice, the customer shall ascertain that the trouble is not being caused by any action or omission by the customer within his control, or equipment furnished by the customer and connected to the Company's facilities. No refund or credit will be made for the time that the Company stands ready to repair the service and the subscriber does not provide access to the Company for such restoration work.

2.11.2 No credit shall be allowed for an interruption of a continuous duration of less than twenty-four hours after the subscriber notifies the Company.

2.11.3 The customer shall be credited for an interruption of more than twenty-four hours as Follows:

Credit Formula:

Credit = A/B x C

"A" - outage time in hours

"B" - 720 hours in month

"C" - total monthly charge for affected facility

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS (continued)**2.12 Suspension or Termination of Service**

2.12.1 After providing written notice to the Customer, with ten working days to respond to said notice (excluding weekends and holidays), the Company may suspend or terminate service and/or cancel an application for service, and sever the connection(s) from the Customer's premises without incurring any liability for any of the following reasons:

2.12.1.A Non-payment of any sum, which is not in written dispute, due to the Company for any bill rendered more than thirty days beyond the date of rendition of the bill for such service.

2.12.1.B A violation of any regulation governing the service under this tariff.

2.12.1.C A violation of any law, rule, or regulation of any government authority having jurisdiction over such service.

2.12.1.D In the event of unauthorized use, where the Customer fails to take reasonable steps to prevent the unauthorized use of the facilities or service received from the Company.

2.12.1.E The Company has given the customer notice and has allowed a reasonable time to comply with any rule, remedy, or deficiency.

2.12.2 The Company shall have the right to take immediate action, including termination of the service and severing of the connection, without notice to the Customer when in the judgment of the Company there is a probability of injury or damage to Company or telephone personnel, plant, property, or service which is occurring, or is likely to occur.

2.12.3 Abandonment or Unauthorized Use of Facilities

2.12.3.A If it is determined that facilities have been abandoned, or are being used by unauthorized persons, or that the Customer has failed to take reasonable steps to prevent unauthorized use, the Company may terminate access service.

2.12.4 Emergency Termination Service

The Company will immediately terminate the service of any Customer, on request, when the Customer has reasonable belief that the service is being used by an unauthorized person or persons. The Company may require that the request be submitted in writing as a follow-up to a request made by telephone.

2.12.5 Government, Court, or Commission Order

The Company will immediately terminate the service of any Customer by order of any governmental agency either federal or state having the authority, at the order of a court, or upon being ordered by the SC PSC.

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INTEREXCHANGE TARIFF

SECTION 2 - RULES AND REGULATIONS (continued)

2.12 Suspension or Termination of Service (continued)

2.12.6 Cancellation Credit

When the Company cancels service or the provision of equipment and the final service period is less than the monthly billing a credit will be issued for any amounts billed in advance, prorated at 1/30th the monthly recurring charge for each day service was rendered or the equipment was provided. The credit will be issued to the Customer or applied against the balance remaining on the Customer's account.

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INTEREXCHANGE TARIFF

SECTION 3 – SERVICE DESCRIPTION**3.1 Timing of Calls**

The customer's monthly usage charges for Carrier service are based upon the total number of minutes the Customer uses and service options subscribed to. Chargeable time begins when the connection is established between the calling station and the called station or PBX. Chargeable time ends when either party disconnects.

There are no charges incurred if a call is not completed.

3.2 Start of Billing

For billing purposes, the start of service is the day following acceptance by the Customer of Company's service or equipment. The end of service date is the last day for which service was provided by the Company or the last day of any required notification period, whichever is later.

3.3 Interconnection

Service furnished by the Company may be interconnected with services or facilities of other authorized communications resellers or common carriers and with private systems, subject to the technical limitations established by the Company. Service furnished by the Company is not part of a joint undertaking as described in Section 2.2 of this tariff. Any special interface equipment of the Company and other participating underlying carriers or common carriers shall be provided at the Customer's expense.

Interconnection with the facilities or services of underlying carriers shall be under the applicable terms and conditions of the underlying carriers' tariff. The Customer is responsible for taking all necessary legal steps for interconnecting his End User by providing terminal equipment or communications systems for establishing interconnection with the Company. The Customer shall secure all right-of-ways, and other arrangements necessary for interconnection.

3.4 Terminal Equipment

The Company's service may be used with or terminated in CPE terminal equipment or communication system, such as PBX's, Key Systems, teleprinters, handsets, or data sets. Such terminal equipment will be furnished and maintained at the expense of the providing customer, except as otherwise agreed in advance and in writing. The Customer is responsible for all cost at their premises, including personnel, wiring, electrical power, and the like incurred in the use of the Company's service. When such CPE terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria of the telecommunication industry.

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INTEREXCHANGE TARIFF

SECTION 3 – SERVICE DESCRIPTION (continued)**3.5 Calculation of Distance**

Usage charges for any mileage sensitive products are based on the airline distance between rate centers associated with the originating and terminating points of the call(s).

The airline mileage between rate centers is determined by applying the formula below to the vertical and horizontal coordinates associated with the rate centers involved. The company uses the rate centers and associated vertical and horizontal coordinates that are generally accepted within the industry:

Formula:
$$\sqrt{\frac{(V1-V2)^2 + (H1-H2)^2}{10}}$$

3.6 Minimum Call Completion Rate

The Customer can expect a call completion rate of 99% for Intrastate and Interstate domestic U.S. calls attempted during peak use periods for all Feature Group D "1+" services.

3.7 Network Management

The Company will administer its network to provide acceptable service levels to all telecommunications users of the Company's network services. Generally, service levels are considered acceptable only when both End Users and Customers are able to establish connections with little or no delay encountered within the Company's network. The Company maintains the right to apply protective controls, (i.e., those actions, such as call gapping, which selectively cancel the completion of any traffic carried over its network), including that associated with a Customer's service. Generally, such protective measures would only be taken as a result of occurrences such as a failure or overload of Company or customer facilities, natural disasters, mass calling or national security demands.

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SECTION 3 – SERVICE DESCRIPTION (continued)

3.8 Usage Charges and Billing Increments

3.8.1 Usage Charges

Unless flat rated, usage-charges are determined by the time of day rate periods and minutes of use within each rate period. The rate period is determined by the time and day of call origination at the Customer's location.

3.8.2 Billing Increments

Usage is billed in an initial one (1) minute increment and in six (6) second increments thereafter. Partial usage will be rounded up to the next highest increment.

3.8.3 Rounding

All calls are rounded to the next highest billing interval. Total charge for a fraction of a cent will be rounded to the next highest whole cent.

3.8.4 Volume Based Plan Enrollment

3.8.4.A Placement into various plans is dependent upon prior actual monthly usage or estimated monthly usage.

3.8.4.A.1 Upon request, Customer may change from initial plan to a higher usage, lower rate plan.

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SECTION 3 – SERVICE DESCRIPTION (continued)

3.9 **Service Offerings**

3.9.1 Switched 1+ Message Toll Services

At the present time, the Company is not offering Switched 1+ Message Toll Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

3.9.2 800 / 888 (Inbound) Long Distance Service

At the present time, the Company is not offering 800/888 (Inbound) Long Distance Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

3.9.2.A Dedicated Outbound WATS Service

At the present time, the Company is not offering Dedicated Outbound WATS Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

3.9.2.B Dedicated Inbound 800/888 Service

At the present time, the Company is not offering Dedicated Inbound 800/888 Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

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SECTION 3 – SERVICE DESCRIPTION (continued)

3.9 Service Offerings (continued)

3.9.3 Prepaid Calling Card Service

At the present time, the Company is not offering Prepaid Calling Card Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

3.9.4 VoIP Services

The Company will provide VoIP based US and International call services. These VoIP services will be under the brand of "Custom Tel", and exclusively utilize the Company's long VoIP distance network for both domestic and international calling.

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INTEREXCHANGE TARIFF

SECTION 4 - RATES

4.1 Switched 1+ Message Toll Service Rates

At the present time, the Company is not offering Switched 1+ Message Toll Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

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SECTION 4 – RATES

4.2 800 / 888 (Inbound) Long Distance Service Rates

At the present time, the Company is not offering 800/888 (inbound) Long Distance Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

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INTEREXCHANGE TARIFF

SECTION 4 - RATES (continued)

4.3 Dedicated outbound WATS Service Rates

At the present time, the Company is not offering Dedicated Outbound WATS Service but may do so in the future at which time it would send an updated tariff to the SC PSC reflecting the changes to its services offering.

4.4 Dedicated Inbound 800/888 Service Rates

At the present time, the Company is not offering Dedicated Inbound 800/888 Service but may do so in the future at which time it would send an updated tariff to the SC PSC reflecting the changes to its services offering.

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SECTION 4 - RATES (continued)

4.5. Prepaid Calling Card Rates

At the present time, the Company is not offering Prepaid Calling Card Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

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INTEREXCHANGE TARIFF

SECTION 4 - RATES (continued)**4.6 Miscellaneous Charges****4.6.1 Rates and Charges for Prepaid Calling Services Are As Follows:**

At the present time, the Company is not offering Prepaid Calling Card Service but may do so in the future at which time it would send an update tariff to the SC PSC reflecting the changes to its services offering.

4.6.2 Payphone Surcharge

Pursuant to the FCC's Order in CC Docket 96-128, this surcharge applies only to dial-around calls, *i.e.*, calls originating using a carrier's access code, a Customer's 800 and other toll-free numbers, calling cards, and prepaid phone card calls, from payphone instruments. The Customer shall pay the Company a per call surcharge of up to \$0.99 per call for all such traffic.

4.6.3 Promotional Offerings

The Company may from time to time make promotional offerings available in which the rates and charges differ from the tarified rates in Section 4.5. These offerings will be limited to certain Cards and dates and the Commission will be notified as required of these promotions.

4.6.4 Directory Assistance

4.6.4.A The Company provides Directory Assistance as an ancillary service exclusively to its customers. Directory Assistance is accessible by dialing "1", the area code of the desired number and "555-1212".

Directory Assistance, per call: \$0.99

4.6.4.B Limitations

The following types of calls are not permitted for Custom Tel, LLC 1+, Dedicated, and Casual Calling long distance service(s):

4.6.4.B.1 Collect.

4.6.4.B.2 Billed to third number.

4.6.4.B.3 Person-to-person

4.6.4.B.4 Operator assisted

4.6.4.B.5 Mobile calls and

4.6.4.B.6 Calls to 900, 976, and 0+.

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SECTION 4 - RATES (continued)

4.6 Miscellaneous Charges (Continued)

4.6.5 Late Payment Charges

Interest charges of 1.5% per month will be assessed on all unpaid balances more than thirty days old.

4.6.6 Return Check Charges

A return check charge of \$20.00 will be assessed for checks returned for insufficient funds if the face value does not exceed \$400.00, or 5% if the value of the check if the face value exceeds \$400.00, whichever is greater.

4.6.7 Restoration of Service

A reconnection fee of \$25.00 per occurrence is charged when service is re-established for customers who had been temporarily disconnected for non-payment. Customers whom have been permanently disconnected sixty (60) days following the temporarily disconnected date for non-payment, and who have made, and/or failed to honor, payment arrangements with the Company will be required to reapply for service following full payment of all delinquent and overdue charges.

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SECTION 4 - RATES (continued)

4.7 Special Rates For The Hearing Disabled**4.7.1 Directory Assistance**

There shall be no charge for up to fifty calls per billing cycle from lines or trunks serving individuals with hearing, speech, or visually impaired disabilities. The Company shall charge (½) one-half the prevailing per call tariff rate for every call in excess of (50) fifty-directory assistance inquiries made within a monthly billing cycle.

4.7.2 Hearing and Speech Impaired Persons

Interstate toll message rates for TDD users shall be evening rates for daytime calls and night rates for evening, holiday, and night calls.

4.7.3 Telecommunications Relay Service

For intrastate toll calls received from the relay service, the Company will when billing the relay calls specifically discount each call by (50%) fifty-percent of the otherwise applicable rate. For a voice nonrelay call whenever either the calling or called party indicates one of the parties (either party) has both a hearing and visual impairment, the call shall be discounted by (60%) sixty-percent of the otherwise applicable rate of a voice nonrelay call.

4.8 VoIP Service Rates

Rate per minute: \$0.99 (international calls various depending on the destination)

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